

IN THE UNITED STATES DESIGNATED/ELECTED OFFICE 0 1 APR 2005

International Application No. : PCT/EP2003/008887

International Filing Date : August 11, 2003

Priority Date(s) Claimed : October 1, 2002

Applicant(s) (DO/EO/US) : Michell BRUNET et al.

Title: NOVEL SUBSTITUTED ARYLHEXADIENOIC ACIDS AND ESTERS THEREOF WHICH CAN BE USED FOR THE TREATMENT AND PREVENTION OF DIABETES, DYSLIPIDAEMIA AND ATHEROSCLEROSIS, PHARMACEUTICAL COMPOSITIONS COMPRISING THEM AND PROCESSES FOR THE PREPARATION OF THEM

INFORMATION DISCLOSURE STATEMENT UNDER 37 CFR §§ 1.56, 1.97 and 1.98

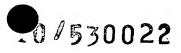
Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

This information disclosure statement is made in accordance with 37 C.F.R. §§ 1.56, 1.97 and 1.98 as follows:

Timing and Fees

\boxtimes	Under 37 C.F.R. § 1.97(b), no fee or statement is required for filing this informatisclosure statement is filed:			
		within three months of the filing date of a national application other than a CPA under § 1.53(d);		
	\boxtimes	within three months of the actual filing date of the national phase of a PCT application; OR		
		before the mailing of a first substantive office action (including after filing of an RCE).		
		37 C.F.R. § 1.97(c), this information disclosure statement is filed after the periods led in 37 C.F.R. § 1.97(b), but before the mailing date of:		
		a final rejection under 37 C.F.R. 1.113; termination of prosecution, e.g. Ex Parte Quayle, M.P.E.P § 609(B)(2); OR a notice of allowance under 37 C.F.R. § 1.311; and		



		is acco	mpanied by:	JC17 Rec'd PCT/PTO	0 1 APR 2005
			the statement as specified in 3	7 C.F.R. § 1.97(e) set out be	low; OR
			a check covering the fee of \$1	80.00 under 37 C.F.R. § 1.17	7(p).
			R. § 1.97(d), this information dillowing actions which have not		er the mailing
		a final	action under 37 C.F.R. § 1.113	3;	
		termin	ation of prosecution, e.g. Ex Pa	arte Quayle, M.P.E.P § 609(F	3)(2);
		OR a r	notice of allowance under 37 C	.F.R. § 1.311;	
	AND i	s filed o	on or before payment of the iss	ue fee; AND is accompanied	by:
			tement as specified in 37 C.F.R 00 under 37 C.F.R. § 1.17(p).	. § 1.97(e) as set forth below,	and the fee of
Statem	ents Ur	nder 37	C.F.R. 1.97(e)		
			Each item of information of statement was cited in a commounterpart foreign application months prior to the filing date	nunication from a foreign pate n having a mailing date not m	ent office in a ore than three
			No item of information contain was cited in a communication foreign application, and to the after making reasonable inquire information disclosure statements in 37 C.F.R. § 1.56(c) more that the information disclosure statements.	from a foreign patent office in e knowledge of the undersign ry, no item of information cor ent was known to any individu nan three months prior to the	a counterpart gned attorney tained in this hald designated
Cited 1	Materia	<u>ls</u>			
		ancest	s of materials listed but not attac or application Serial No by the applicant; see 37 C.F.R.	, on Form 892 by the Examine	
		_	s of materials listed but not atta dated <u>December 16, 2003</u> .	ached were cited in an interna	ational search
		Not re	quired by 37 CFR § 1.98.		
		Copies	s of the materials listed are atta	ched (except for the foregoin	g).



Non-English Language References

K	office is provided indicating the relevance of the cited reference(s).
	A foreign-language search report from a foreign patent office is provided, and pertinent parts are translated substantively below:
	 X = document of particular relevance when it is taken alone Y = document of particular relevance when it is combined with another such document
	 A = document defining the general state of the art O = non-written disclosure P = intercalated document
	T = document cited to understand the theory or principle underlying the invention
	E = patent document which has the benefit of a date earlier than the filing date and which was published only on or after this filing date
	D = cited in the application
	L = cited for another reason
	& = publication of member of same patent family
	Translation of other relevant information on foreign search report
	[insert necessary translation here]
Other Inform	<u>nation</u>
Payment of	Fees Due (If Any):
A ch	eck for \$ covering the fee identified above is attached.
□ Plane	se charge to Deposit Account No. 13-3402 \$ for the fee identified above.

The Commissioner is hereby authorized to charge or credit any overpayment to Deposit

Account #13-3402, two copies of this paper are attached for this purpose.

Respectfully submitted,

Anthony J. Zelano, Reg. No. 27,96

Attorney for Applicants

MILLEN, WHITE, ZELANO & BRANIGAN, P.C.
Arlington Courthouse Plaza l
2200 Clarendon Blvd. Suite 1400
Arlington, Virginia 22201

Telephone: (703) 243-6333 Facsimile: (703) 243-6410

Attorney Docket No.: MERCK-2994

Date: April 1, 2005

AJZ:aap

K:\Merck\2994\Information Disclosure Statement.doc

Approved for U.S. Patent and Tredemark Office QEPARIMENT OF COMMERCE.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection buffire the paperwork Reduction Act of 1995, no persons are required to respond to a collection buffire the paperwork Reduction Act of 1995, no persons are required to respond to a collection buffire the paperwork Reduction Act of 1995, no persons are required to respond to a collection buffire the paperwork Reduction Act of 1995, no persons are required to respond to a collection buffire the paperwork Reduction Act of 1995, no persons are required to respond to a collection buffire the paperwork Reduction Act of 1995, no persons are required to respond to a collection buffire the paperwork Reduction Act of 1995, no persons are required to respond to a collection buffire the paperwork Reduction Act of 1995, no persons are required to respond to a collection buffire the paperwork Reduction Act of 1995, no persons are required to respond to a collection buffire the paperwork Reduction Act of 1995, no persons are required to respond to a collection buffire the paperwork Reduction Act of 1995, no persons are required to respond to a collection buffire the paperwork Reduction Act of 1995, no persons are required to respond to a collection buffire the paperwork Reduction Act of 1995, no persons are required to respond to a collection buffire the paperwork Reduction Act of 1995, no persons are required to respond to a collection buffire the paperwork Reduction Act of 1995, no persons are required to respond to a collection act of the paperwork Reduction Act of 1995, no persons are required to a collection act of 1995, no persons are required to a collection act of 1995, no persons are required to a collection act of 1995, no persons are required to a collection act of 1995, no persons are required to a collection act of 1995, no persons are required to a collection act of 1995, no persons are required to a collection act of 1995, no persons are required to a collection

ugh 10/31/2002. OMB 0651-0031

Substitute for form 1449A/PTO

Sheet

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(use as	many	sheets	as	necessary)
	1		of	2

	Complete if Known				
Application Number	Unassigned 1065300				
Filing Date	April 1, 2005				
First Named Inventor	Michell BRUNET et al.				
Group Art Unit	Unassigned				
Examiner Name	Unassigned				
Attorney Docket Number	MERCK-2994				

U.S. PATENT DOCUMENTS							
,	U.S. Patent Doc			Date of Publication of Cited Document			
Cite No.1	Number	Kind Code ² (if known)	Name of Patentee or Applicant of Cited Document	MM-DD-YYYY			
	-						
			U.S. Patent Document Kind Code ²	U.S. Patent Document Kind Code ² Name of Patentee or Applicant			

	FOREIGN PATENT DOCUMENTS							
			Foreign Patent Docu	ment		Date of Publication of	Pages, Columns, Lines, Where Relevant	
Examiner Initials*	Cite No.1	Office ³	Number ⁴	Kind Code ^s (<i>if known</i>)	Name of Patentee or Applicant of Cited Document	Cited Document MM-DD-YYYY	Passages or Relevant Figures Appear	Т⁴
	1	RU	2051673		LOSHTAK CO LTD	January 10, 1996		
-								

Examiner Signature	Date Considered	

Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner of Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

^{*}EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Unique citation designation number. ² See attached Kinds of U.S. Patent Documents. ³ Enter Office that issued the document, by the two-letter code (MIPO Standard ST.3). 4 For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached. Number refers to English language corresponding family member.



Approved for use through 10/31/2002. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number

Substitute fo	or form 1449A/PTC)			Complete if Known
		DICO	OCUPE	Application Number	Unassigned 1 1 8 5 5 U
	RMATION			Filing Date	April 1, 2005
STAT	EMENT B	Y APP	LICANT	First Named Inventor	Michell BRUNET et al.
				Group Art Unit	Unassigned
(t	ise as many she	eets as ne	cessary)	Examiner Name	Unassigned
Sheet	2	of	2	Attorney Docket Number	MERCK-2994

0.1 W	* co. , val -	NON PATENT LITERATURE DOCUMENTS	(martine)
Examiner Initia <u>ls</u> *	Cite No.1	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T²
	2	LEHMANN, J.M. ET AL: AN ANTIDIABETIC THIAZOLIDINEDIONE IS A HIGH AFFINITY LIGAND FOR PEROXISOME PROLIFERATOR-ACTIVATED RECEPTRO (PPAR)" THE JOURNAL OF BIOLOGICAL CHEMISTRY, VOL. 270, NO. 22, 1995, PAGES 12953-12956, XP002228130.	
	3	DATABASE WPI Section Ch, Week 199642 Derwent Publications Ltd., London, GB; Class B05, AN 1996-423454 XP002228131	
			-
		·	

Examiner	Date	
Signature	Considered	

Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner of Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

^{*}EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Unique citation designation number. ² Applicant is to place a check mark here if English language Translation is attached.